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■

INORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

Effluent Limitations Guidelines and Proposed Guidelines for Existing Sources to Pretreatment Standards for Incompatable Pollutants

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

PART 415—INORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

On October 11, 1973 notice was published in the FEDERAL REGISTER, (38 FR 28174), that the Environmental Protection Agency (EPA or Agency) was proposing effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the aluminum chloride production subcategory, aluminum sulfate production subcategory, calcium carbide production subcategory, calcium chloride production subcategory, calcium oxide and hydroxide production subcategory, chlorine and sodium or potassium hydroxide production subcategory, hydrochloric acid production subcategory, hydrofluoric acid production subcategory, hydrogen peroxide production subcategory, nitric acid production subcategory, potassium metal production subcategory, potassium dichromate production subcategory, potassium sulfate production subcategory, sodium bicarbonate production subcategory, sodium carbonate production subcategory, sodium chloride production subcategory, sodium dichromate and sodium sulfate production subcategory, sodium metal production subcategory, sodium silicate production subcategory, sodium sultite production subcategory, sulfuric acid production subcategory, and titanium dioxide production subcategory of the inorganic chemicals manufacturing category of point sources.

The purpose of this notice is to establish final effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources in the inorganic chemicals manufacturing category of point sources, by amending 40 CFR Chapter I, Subchapter N, to add a new Part 415. This final rulemaking is promulgated pursuant to sections 301, 304(b) and (c), 306(b) and (c) and 307(c) of the Federal Water Pollution Control Act, as amended, (the Act); 33 U.S.C. 1251, 1311, 1314(b) and (c), 1316(b) and (c) and 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500. Regulations regarding cooling water intake structures for all categories of point sources under section 316(b) of the Act will be promulgated in 40 CFR Part 402.

In addition, the EPA is simultaneously proposing a separate provision which appears in the proposed rules section of the FEDERAL REGISTER, stating the application of the limitations and standards set forth below to users of publicly owned treatment works which are subject to pretreatment standards under section 307(b) of the Act. The basis of that proposed regulation is set forth in the associated notice of proposed rulemaking.

The legal basis, methodology and factual conclusions which support promulgation of this regulation were set forth in substantial detail in the notice of public review procedures published August 6, 1973 (38 FR 21202) and in the notice of proposed rulemaking for the aluminum chloride production subcategory, aluminum sulfate production subcategory, calcium carbide production subcategory, calcium chloride production subcategory, calcium oxide and hydroxide production subcategory, chlorine and sodium or potassium hydroxide production subcategory, hydrochloric acid production subcategory, hydrofluoric acid production subcategory, hydrogen peroxide production subcategory, nitric acid production subcategory, potassium metal production subcategory, potassium dichromate production subcategory, potassium sulfate production subcategory, sodium bicarbonate production subcategory, sodium carbonate production subcategory, sodium chloride production subcategory, sodium dichromate and sodium sulfate production subcategory, sodium metal production subcategory, sodium silicate production subcategory, sodium sulfite production subcategory, sulfuric acid production subcategory, and titanium dioxide production subcategory. In addition, the regulations as proposed were supported by two other documents: (1) The document entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the major inorganic products Segment of the Inorganic Chemicals Manufacturing Point Source Category" (August 1973) and (2) the document entitled "Economic Analysis of Proposed Effluent Guidelines, Inorganic Chemicals, Alkali and Chlorine Industries (Major Products) (August, 1973). Both of these documents were made available to the public and circulated to interested persons at apprixmately the time of publication of the notice of proposed rulemaking.

Interested persons were invited to participate in the rulemaking by submitting written comments within 30 days from the date of publication. Prior public participation in the form of solicited comments and responses from the States, Federal agencies, and other interested parties were described in the preamble to the proposed regulation. The EPA has considered carefully all of the comments received and a discussion of these comments with the Agency's response thereto follows. The regulation as promulgated contains some significant departures from the proposed regulation. The following discussion outlines the reasons why these changes were made and why other suggested changes were not made.

SUMMARY OF MAJOR COMMENTS

The following responded to the request for written comments which was contained in the preamble to the proposed regulation: Airco Carbide, Allied Chemical Corporation, American Cyanamid Company, American Smelting & Refining Company, Atomic Energy Commission, BASF Wyandotte Corporation, B. F. Goodrich Chemical Company, California—State Water Resources Control Board, Chemetron Corporation, County Sanitation Districts of L.A. County, Detrex Chemical Industries, Diamond Shamrock Chemical Company, Dow Chemicals USA, E. I. DuPont de Nemours & Company, EPA Region VIII, Ferroallays Association, Georgia-Pacific Corporation, Great Salt Lake Minerals & Chemicals Corporation, Hooker-Industrial Chemical Division, Kaiser Aluminum & Chemical Corporation, Kerr-McGee Chemical Corporation, Leslie Salt Company, Lowry Associates, Manufacturing Chemists Association, Michigan Chemical Corporation, Midwest Carbide Corporation, Monsanto, National Paint & Coating Association, NL Industries, Titanium Pigments Operations, N.J. Zinc Company (Bethlehem, Pa.), N.J. Zinc Company (Gloucester, N.J.), Olin Chemicals, Pacific Carbide & Alloys Company, Pennwalt Corporation, Philadelphia Quartz Company, Pittsburgh Plate Glass Industries, Salt Institute, San Francisco Bay Conservation & Development Commission, SMC Glidden-Durkee, State of Michigan—Department of Natural Resources, State of N. Y. Department of Environmental Conservation, State of Utah—Attorney General, State of Utah—Department of Natural Resources, State of Utah—Department of Social Services, Stauffer Chemical Company, The Chlorine Institute, Inc., Texas Chemical; Union Carbide Corporation, U.S. Department of Commerce, U.S. Department of the Interior, Vulcan Materials Company, Water Pollution Control Federation and Western Salt Company. The following is a summary of the significant comments and the Agency's response to those comments.

(1) Because of wide variations in plant age and size, product mix, manufacturing processes, and raw materials, the guidelines should be expressed as ranges. Many commenters recommended adoption of ESWQIAC's proposed methodology.

The approach taken in developing effluent limitations guidelines and standards of performance for the inorganic chemicals manufacturing industry was to examine all variables and segment the industry into workable subcategories consistent with these variations. Twenty-two subcategories have been established based on the chemical product manufactured. In cases where two dissimilar processes are used to manufacture the same product, separate limitations have been established within the subcategory. Thus, ranges are provided for, as are other factors, by segmenting the inorganic chemicals manufacturing point source category into discrete subcategories, each with its own limitation. ESWQIAC's proposal is under evaluation as a contribution toward future refinements on guidelines for some industries. The committee has indicated that their proposed methodology could not be developed in sufficient time to be available for the current phase of guideline promulgation, which is proceeding according to a court-ordered schedule. Its present state of development does not provide sufficient

evidence to warrant the Agency's delaying issuance of any standard in hopes that an alternative approach might be preferable.

(2) Many commenters stated that a guideline requiring "no discharge of process waste water pollutants" is ambiguous. Also, they stated that the definition of "pollutant" should clearly exclude innocuous dissolved solids, such as chlorides and sulfates.

The terms "process waste water", "process waste water pollutants", and "discharge of pollutant(s)" are clearly defined in 40 CFR Part 401. Reference to these definitions is included whenever these terms are used. "No" discharge of process waste water pollutants to navigable waters means that process waste water pollutants may not be discharged to navigable water in quantities greater than the detectable limits using the test methods presented in 40 CFR 136 "Guidelines establishing test procedures for the analysis of pollutants" published in the FEDERAL REGISTER, October 16, 1973. The term "pollutant(s)" as defined in 40 CFR Part 401 includes all dissolved materials, such as chlorides and sulfate. Where a discharge of process waste water pollutants has been allowed for chemical subcategories, it was concluded that only the selected pollutant parameters could be economically limited by technology-based standards. In some cases, however, where total recycle, sale, recovery, or reuse of process waste water is technically and economically feasible, the discharge of all process waste water pollutants has been limited.

(3) Some comments stated that the proposed pretreatment standards preclude industrial use of public treatment works.

The methodology for applying effluent limitation guidelines to discharges from point sources to municipal treatment systems has been given further consideration by the Agency. The pollutants present in the waste water generated by the manufacture of inorganic chemicals have been identified. Discharge of these pollutants to municipal treatment systems is allowed in limited quantities so as to ensure adequate treatment and to prevent interference with the performance of such a system. These pretreatment standards for existing point sources are being proposed as an amendment to 40 CFR Part 415.

(4) Many commenters stated that the cost estimates were low and did not include costs for auxiliary equipment, land acquisitions, sludge disposal, or research and development work. Additionally, it was said that the impact of these costs has been understated.

Cost information was obtained directly from industry during plant visits, from engineering firms and equipment suppliers, and from available literature. This data has been obtained from the best sources available to the Agency and is believed to be representative of actual capital and operating costs.

In cases where commenters have supplied additional cost data, satisfactorily documented and detailed, to indicate that the initial estimates are low, the figures have been revised and the proposed guidelines altered accordingly. Consideration has also been given to comments questioning the magnitude of the projected economic impact. Specific comments are summarized for the chemical subcategory to which they apply.

(5) Some commenters questioned the use of a factor of two to relate daily maximums to 30-day averages.

Extensive, long-term data is not available for each of the 22 chemical subcategories. It was necessary, therefore, to rely on data from other segments of the inorganic chemicals industry, as well as data from other industrial categories. Based on this information and using good engineering judgement on the performance reliability of recommended treatment systems, a factor of two appears generous.

(6) Many commenters said that limitations should be clearly defined as representing the net pollutant contributions as a result of the specific manufacturing process being limited. They question whether allowances should be made for pollutants present in the intake water.

If not otherwise specified, the effluent limitation numbers in this regulation will be applied as absolute discharge limitations. The use of such absolute limitations is generally appropriate since the concentration of a pollutant remaining after the application of a given treatment technology is relatively independent of minor variations in the pollutant concentration in the waste or the source of the pollutant. EPA intends to amend the NPDES regulations to take into account, when appropriate, pollutants already existing in the stream, so that in certain cases an effluent limitation may be adjusted to take into account pollutants entering with a discharger's supply providing the water is withdrawn from the same source into which it is discharged. If the source is other than the receiving waterbody, the effluent standards will be applied as absolute limitations without adjustment.

(7) Aluminum chloride. Some commenters said that a market may not exist for the scrubber water (a 28 percent aluminum chloride solution) and that costs to purify and concentrate the solution may be prohibitive. They recommend a discharge allowance be made for the scrubber waste water effluent.

Only "yellow grade" aluminum chloride, made with an excess of chlorine, requires wet scrubbing techniques on the gaseous waste stream. Two plants, representing approximately 40 percent of the total annual production of aluminum chloride, currently are able to sell their dilute scrubber solution. A re-evaluation of the costs to concentrate the dilute scrubber solution indicates that costs for concentration are approximately 0.4 percent of the selling price of aluminum chloride.

(8) Aluminum sulfate. Some commenters stated that recycle of leaks and spills may contaminate high purity grades of product. Also, aluminum clays may be used as the raw material in place of bauxite which significantly effects the raw waste load. The commenters said that area for ponds may not be available at all locations. Also, net rainfall will preclude the use of ponds. When a dry product is produced, some commenters questioned whether recycling water increases the evaporative load on equipment, increasing energy requirements.

The wastes generated in refining bauxite to produce on iron-free hydrated alumina material are not considered to be process waste water pollutants resulting from the manufacture of iron-free aluminum sulfate. Process waste water pollutants generated by the refinement of bauxite ore are subject to the effluent guidelines to be promulgated in 40 CFR 421. If these wastes are segregated from leaks and spills, contamination preventing recycle is not a problem. Other raw materials than bauxite, including clays and aluminum hydrate, generate greater quantities of raw waste because of impurities, but the waste water constituents are similar and the process is the same. Thus, although the use of different raw materials affects the raw waste load, it does not preclude the use of settling, clarification, and reuse of process waste water as recommended. The guidelines do not require plants to use large ponds to achieve no discharge of process waste water pollutants. Clarifiers may be used in locations where land is not available for funding. The costs for clarifiers are similar to the costs for ponding. A provision has been established to allow discharge from impoundments under some conditions of high rainfall.

(9) Calcium carbide. Calcium carbide manufacturers stated that it should be considered a ferroalloy because: (a) air standards consider it a ferroalloy; (b) all plants are members of Ferroalloy Assoc.; (c) it is usually made in complexes with ferroalloys; (d) it uses similar processes in similar ovens. Commentors also expressed concern that the only two plants achieving the proposed guidelines are unique, using an uncovered furnace. Other plants recover gaseous carbon monoxide and must scrub the gas to remove impurities. Because of high temperatures dry bag collection of dust is not feasible.

A portion of calcium carbide is produced in both the ferroalloy industry and the inorganic chemicals industry. The regulation presented herein is applicable to discharges from calcium carbide production in open furnaces. Plants employing this manufacturing process are not located in ferroalloy complexes. Effluent limitations for waste water discharges from calcium carbide production in covered furnaces will be established in a forthcoming regulation as part of the ferroalloy industry. This distinction will accommodate differences in process waste water from plants using open furnaces and those using covered furnaces.

(10) Calcium oxide and calcium hydroxide. Many commenters mentioned that costs for converting to a dry bag house from a wet scrubber system are economically unjustified. They also state

that reuse of the water is not possible because of impurities.

The guidelines do not require conversion to a dry air pollution abatement system. An alternate treatment system consists of settling suspended solids and total recycle of the supernatant to the scrubbing system. At least one lime plant currently employs this treatment system to achieve the guidelines.

(11) Chlorine. Some commenters pointed out the fact that the proposed mercury limit for the mercury cell process is not achievable using the best practicable technology and that the location of mercury monitoring should be clearly specified as leaving the mercury treatment facility. They further state that no discharge of process waste water pollutants is not demonstrated in plants using either the diaphragm or mercury cell process and appears to be technically impossible. It should definitely not be required of new sources. Some commenters said that the lead limitation appears to be unachievable. They state that there is no rationale for having a more stringent TSS limitation on diaphragm cell plants than mercury cell plants.

While three plants are currently meeting the proposed guidelines, supplied data indicates that the proposed mercury limitation is not being achieved in certain plants employing the best practicable control technology currently available. The standard has been revised, considering the effluent reduction achieved by a greater number of plants. The limitation is intended to indicate mercury levels in the waste stream from the mercury treatment facility because mercury residuals may not be controllable. This is clearly stated in 40 CFR 415.61. The presence of lead in the effluent from diaphragm cell plants results from the development of cracks around protective resin seals which encase underlying lead mountings. Currently, one-third of the industry is using anodes which do not require lead mountings. Industry representatives state that another one-third are seriously considering conversion. The lead limitation is the average value discharged from three plants which have not converted to lead-free anodes. The new source performance standards of no discharge of process waste water pollutants is not presently demonstrated, and research and development may require several years. Therefore, new sources will be required to meet the best performance demonstrated in exemplary plants. The suspended solids limitation has been reevaluated for discharges from the diaphragm cell process.

(12) Many commenters stated that a provision should be established to allow for the discharge of leaks, spills, and washdown waste waters.

Spills, leaks, and washdown waste waters may be minimized or eliminated by good housekeeping, operation, and maintenance. The process waste water should be segregated from other waste streams and may be collected and fed back into the manufacturing process.

(13) Sulfuric acid. Some commenters stated that single adsorption plants can not eliminate their scrubber effluent, leaks and spills, or start-up and shutdown waste waters.

Good housekeeping, operation and equipment maintenance will minimize the volume of waste waters to a point where reuse or sale of the recovered acid product is feasible.

(14) Hydrogen peroxide—organic process. Some commenters said that total process waste water recycle is not possible because of organic impurities present in the waste streams.

The technology to achieve no discharge of process waste water pollutants in considered to be best available and best demonstrated technology. Organic solvents of the type used in the manufacturing process can be removed by skimming and carbon adsorption treatment. Best practicable technology consists of oil separation and clarification, treatments presently used in the industry to attain the required pollutant reductions.

(15) Potassium dichromate. Some commenters mentioned that replacement of barometric condensers with noncontact heat exchangers has not been demonstrated and should not be required by 1977. They also questioned whether reuse of sodium dichromate is possible in all plants.

Recycle of unreacted sodium dichromate is technically possible in all plants if segregation of waste streams and good housekeeping is practiced. Conversion to noncontact heat exchangers is being accomplished in the potassium dichromate industry. Noncontact heat exchangers are widely used and have been a proven technology in the chemical industry for many years.

(16) Sodium. Commenters stated that TSS removals to less than 50 mg/l have not been demonstrated in waste streams resulting from sodium manufacturing.

The technologies required to achieve the proposed TSS limitation are widely demonstrated. These alternatives include sedimentation, flocculation, and clarification. The suspended solids are primarily the decomposition products of the cells and alkaline salts.

(17) Sodium sulfite. Several comments stated that no discharge of process waste water pollutants is based upon recovery of sodium sulfate which is not possible because of a limited market. Also, wastes contain impurities other than sulfates. Returning these impurities to the process is not possible. Some commenters said that the COD limitation is confusing.

The COD limitation is in the units recommended in Standard Methods for Waste Water Analysis. The guidelines do not require the sale of sodium sulfate. Satisfactory land disposal of the unused sodium sulfate would cost approximately two percent of the selling price of sodium sulfite. The waste waters may be segregated, treated and recycled to the process.

(18) Sodium carbonate. Some commenters stated that gravity sedimentation will not reduce the suspended solids concentration to the recommended 25 mg/l concentration. They say particles are very fine and a filter precoat is required. A small suspended solids reduction is not justified by the cost. Various manufacturers recommend using a suspended solids concentration of 50 mg/l as it is compatible with actual settling pond performance and is a more "realistic and achievable level".

The treatment technologies required to attain the affluent pollutant reduction proposed are conventional and proven treatment systems. Treatment alternatives include sedimentation basins, flocculators and clarifiers.

(19) Sodium dichromate. Some commenters mentioned that technology has not been demonstrated to achieve no discharge of process waste water pollutants and that it is technically impossible. The 1977 standard is based on a plant which is only two years old. Commentors question whether existing plants can economically achieve its effluent quality.

The control technology used at the exemplary plant consists of leak and spill containment and pickle liquor treatment for chromium reduction followed by sedimentation to achieve the proposed guidelines. Another plant uses conventional sodium hydrosulfide treatment and lime to attain the proposed chromium levels. The proposed effluent limitations can be attained in existing facilities. The proposed new source performance standards were based on evaporation to attain no discharge of process waste water pollutants. Considering nonwater environmental aspects, the new source performance standards have been revised to require good water conservation and best practicable technology.

(20) Sodium chloride. Commentors stated that most plants return unused bitterns to the source. They feel that discharges do not threaten aquatic life or contribute to water pollution and that recovery of potassium and magnesium salts is not economical.

Although some plants may have ample land to store waste bitterns, this treatment is not universally applicable. Alternative means to achieve no discharge of process waste water pollutants are economically prohibitive. If no pollutants are added to the waste bitterns, return of the unused salts to the source is a reasonable limitation for technology-based standards.

(21) Sodium Silicate. Some comments stated that sodium hydroxide, sodium sulfate, and silica should not be considered pollutants. Because of their natural occurrence in most waters, costs to achieve no discharge of these compounds are not justified. They further state that recycle is not possible because of turbidity problems and evaporation ponds are not universally applicable.

A reexamination of initial data and consideration of substantial comments indicate that cost of treatment to achieve no discharge of process waste water pollutants may not be justified for

a 1977 standard. Best practicable technology has been redefined as a well-designed and operated settling basin.

(22) Titanium dioxide. Several commenters stated that the costs to achieve the proposed limitations place a greater financial burden on titanium dioxide producers using the sulfate process than those using the chloride process. They say that this economic inequity may force some sulfate process plants to close down because of their inability to recover treatment costs while maintaining competitive prices. It was stated that polishing filtration is necessary to achieve the suspended solids limitations for discharges from the sulfate process. The commenters said that some of the pollutant parameters selected as the subject of effluent guidelines should be eliminated. Industry further stated that the flow basis of 100,000 l/kkg for the sulfate process is not achievable. Several commenters question the use of "dissolved iron" as the means to limit iron. They feel "total iron" should be used so as to include the total quantities of iron being discharged regardless of its state.

(i) Chloride Process. A re-evaluation of the pollutant parameters selected indicates that effluent standards for metals other than iron are not necessary requirements to establish compliance with best practicable technology currently available. While monitoring aluminum, lead, etc., provides for stricter effluent control, these metals are present only in small quantities relative to the iron content. They are removed to acceptable levels if the iron limitation is maintained. The guidelines represent the quantities of pollutants which may be discharged based on treatment technology. The recommended treatment includes iron precipitation and clarification. They efficiency of this treatment may be best determined by measuring the total iron content of the effluent. Data from this type of treatment indicates that a effluent containing 4 mg/l total iron can be achieved.

(ii) Sulfate process. Inclusion of effluent limitations for suspended solids, pH, and iron are sufficient to ensure compliance with the effluent reduction attainable through the application of the required levels of treatment technology. Other waste water constituents appear in relatively minor quantities and are adequately removed when the iron limitation is achieved. The rationale presented above for using the parameter "total iron" is applicable to the sulfate process also. The process waste water flow basis of 100,000 l/kkg has been re-examined. Based on initial data and comments received this basis has been revised. A total process waste water flow of 210,000 l/kkg of product is achievable using recycle of scrubber water. Detailed data have been supplied subsequent to the publication of the proposed regulations. These data indicate the costs to reduce the TSS concentration to 25 mg/l are greater than initially estimated. Considering the nature of the solids and the expected performance from the recommended treatment system a concentration basis of 50 mg/l is reasonable for a 1977 standard.

(23) Some commenters said that provisions should be established to allow for discharges from treatment or holding ponds in the event of catastrophic rain storms.

For chemicals subcategories which have a limitation of no discharge of process waste water pollutants to navigable waters and for which ponds may be part of the treatment system, an allowance has been provided to permit a discharge of process waste water from a plant located in an area where rainfall exceeds the evaporation rate or in the event of a catastrophic rainfall.

Revision of the Proposed Regulation Prior to Promulgation

As a result of public comment and continuing review and evaluation of the proposed regulation by EPA, the following changes have been made in the regulation.

(1) The applicability of the proposed regulations for calcium carbide production has been amended to include only calcium carbide production in uncovered furnaces.

(2) The effluent limitation guidelines for sodium chloride production have been amended to allow for the return of unused salt wastes to the body of water from which the brine solution was initially obtained. No additional pollutants may be added to the waste salt solution prior to discharge.

(3) The effluent limitation for sodium silicate production based on the application of best practicable technology currently available has been revised to permit a discharge of small quantities of suspended solids.

(4) The new source performance standards for the sodium dichromate production subcategory and the sodium sulfite production subcategory have been revised to require good water conservation and implementation of the best practicable technology currently available.

(5) The new source performance standards for chlorine production have also been amended to allow for a waste water discharge from both diaphragm and mercury cell plants.

(6) The mercury limitation has been revised for mercury cell chlorine plants based on the effluent reduction attainable by the best practicable technology currently available.

(7) The effluent limitation of suspended solids has been revised for diaphragm cell chlorine plants.

(8) The effluent limitations for titanum dioxide production have been changed to exclude limitations on trace elements. The parameter "total dissolved iron" has been amended to "total iron" and the guideline has been altered accordingly.

(9) The effluent limitations for titanium dioxide production by the sulfate process have been changed. The flow basis has been increased resulting in less stringent limitations on iron and suspended solids.

(10) Minor adjustments have been made to reflect the fact that an increased number of definitions and analytical methods have been included in 40 CFR 401 and are incorporated by reference where applicable.

(11) Section 304(b)(1)(B) of the Act provides for "guidelines" to implement the uniform national standards of section 301(b)(1)(A). Thus Congress recognized that some flexibility was necessary in order to take into account the complexity of the industrial world with respect to the practicability of pollution control technology. In conformity with the Congressional intent and in recognition of the possible failure of these regulations to account for all factors bearing on the practicability of control technology, it was concluded that some provision was needed to authorize flexibility in the strict application of the limitations contained in the regulation where required by special circumstances applicable to individual dischargers. Accordingly, a provision allowing flexibility in the application of the limitations representing best practicable control technology currently available has been added to each subpart, to account for special circumstances that may not have been adequately accounted for when these regulations were developed.

(12) An allowance has been provided to permit the discharge of process waste water pollutants from plants located in areas where precipitation exceeds evaporation. An allowance has also been provided for discharge in the event of a catastrophic rainfall. These allowances are applicable only to chemical subcategories which may utilize ponds to achieve no discharge of process waste water pollutants.

Economic Impact

The changes that were made to the proposed regulations for the inorganic chemicals manufacturing category do not substantially affect the initial economic analysis. The changes detailed above concern new sources and reflect a re-evaluation of the efficiency of various treatment systems. These revisions, however, do not affect the conclusions of the economic impact study.

Cost-Benefit Analysis

The detrimental effects of the constituents of waste waters now discharged by point sources within the major inorganic products segment of the inorganic chemicals manufacturing point source category are discussed in Section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the major inorganic products segment of the Inorganic Chemicals Manufacturing Point Source Category" (August 1974). It is not feasible to quantify in economic terms, particularly on a national basis, the costs resulting from the discharge of these pollutants to our Nation's waterways. Nevertheless, as indicated in Section VI, the pollutants discharged have substantial and damaging

impacts on the quality of water and therefore on its capacity to support healthy populations of wildlife, fish and other aquatic wildlife and on its suitability for industrial, recreational and drinking water supply uses.

The total cost of implementing the effluent limitations guidelines includes the direct capital and operating costs of the pollution control technology employed to achieve compliance and the indirect economic and environmental costs identified in Section VIII and in the supplementary report entitled "Economic Analysis of Proposed Effluent Guidelines Inorganic Chemicals, Alkali and Chlorine Industries (Major Products)" (August 1973). Implementing the effluent limitations guidelines will substantially reduce the environmental harm which would otherwise be attributable to the continued discharge of polluted waste waters from existing and newly constructed plants in the inorganic chemicals manufacturing industry. The Agency believes that the benefits of thus reducing the pollutants discharged justify the associated costs which, though substantial in absolute terms, represent a relatively small percentage of the total capital investment in the industry.

PUBLICATION OF INFORMATION ON PROCESSES, PROCEDURES, OR OPERATING METHODS WHICH RESULT IN THE ELIMINATION OR REDUCTION OF THE DISCHARGE OF POLLUTANTS

In conformance with the requirements of Section 304(c), a manual entitled, "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the MAJOR INORGANIC PRODUCTS Segment of the Inorganic Chemicals Manufacturing Point Source Category," has been published and is available for purchase from the Government Printing Office, Washington, D.C. 20401 for a nominal fee.

FINAL RULEMAKING

In consideration of the foregoing, 40 CFR Chapter I, Subchapter N is hereby amended by adding a new Part 415, Inorganic Chemicals Manufacturing Point Source Category, to read as set forth below. This final regulation is promulgated as set forth below and shall be effective on May 13, 1974.

Dated: March 4, 1974.

JOHN QUARLES,
Acting Administrator.

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415.93 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
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415.95 Standards of performance for new sources.
415.96 Pretreatment standards for new sources.

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415.100 Applicability; description of the nitric acid production subcategory.
415.101 Specialized definitions.
415.102 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
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415.105 Standards of performance for new sources.
415.106 Pretreatment standards for new sources.

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415.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
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415.120 Applicability; description of the potassium dichromate production subcategory.
415.121 Specialized definitions.
415.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.124 [Reserved]
415.125 Standards of performance for new sources.
415.126 Pretreatment standards for new sources.

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415.130 Applicability; description of the potassium sulfate production subcategory.
415.131 Specialized definitions.
415.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.134 [Reserved]
415.135 Standards of performance for new sources.
415.136 Pretreatment standards for new sources.

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415.140 Applicability; description of the sodium bicarbonate production subcategory.
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415.142 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.143 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.144 [Reserved]
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415.150 Applicability; description of the sodium carbonate production subcategory.
415.151 Specialized definitions.
415.152 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.153 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.154 [Reserved]
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415.160 Applicability; description of the Sodium chloride production subcategory.
415.161 Specialized definitions.
415.162 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.163 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.164 [Reserved]
415.165 Standards of performance for new sources.
415.166 Pretreatment standards for new sources.

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415.170 Applicability: description of the sodium dichromate and sodium sulfate production subcategory.
415.171 Specialized definitions.
415.172 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.173 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.174 [Reserved]
415.175 Standards of performance for new sources.
415.176 Pretreatment standards for new sources.

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415.180 Applicability: description of the sodium metal production subcategory.
415.181 Specialized definitions.
415.182 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.183 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.184 [Reserved]
415.185 Standards of performance for new sources.
415.186 Pretreatment standards for new sources.

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415.190 Applicability: description of the sodium silicate production subcategory.
415.191 Specialized definitions.
415.192 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.193 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.194 [Reserved]
415.195 Standards of performance for new sources.
415.196 Pretreatment standards for new sources.

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415.200 Applicability: description of the sodium sulfite production subcategory.
415.201 Specialized definitions.
415.202 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

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415.203 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.204 [Reserved]
415.205 Standards of performance for new sources.
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415.210 Applicability: description of the sulfuric acid production subcategory.
415.211 Specialized definitions.
415.212 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.213 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.214 [Reserved]
415.215 Standards of performance for new sources.
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415.220 Applicability: description of the titanium dioxide production subcategory.
415.221 Specialized definitions.
415.222 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
415.223 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
415.224 [Reserved]
415.225 Standards of performance for new sources.
415.226 Pretreatment standards for new sources.

AUTHORITY: Secs. 301, 304(b) and (c), 306(b) and (c), 307(c), Pub. L. 92-500; 86 Stat. 816 et seq.; (33 U.S.C. 1251, 1311, 1314(b) and (c), 1316(b) and (c), 1317(c)).

Subpart A—Aluminum Chloride Production Subcategory

§ 415.10 Applicability; description of the aluminum chloride production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of aluminum chloride.

§ 415.11 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.14 [Reserved]

§ 415.15 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.16 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the aluminum chloride production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.15; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart B—Aluminum Sulfate Production Subcategory

§ 415.20 Applicability; description of the aluminum sulfate production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of aluminum sulfate.

§ 415.21 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.22 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines.

On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings, to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of paragraphs (b), (c), and (d) of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed and operated so as to contain the precipitation from the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 10 year, 24 hour rainfall event, when such event occurs.

(c) During any calendar month there may be discharged from a process waste water impoundment either a volume of process waste water equal to the difference between the precipitation for that month that falls within the impoundment and the evaporation for that month, or, if greater, a volume of process waste water equal to the difference between the mean precipitation for that month that falls within the impoundment and the mean evaporation for that month as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located (or as otherwise determined if no monthly data have been established by the National Climatic Center).

(d) Any process waste water discharged pursuant to paragraph (c) of this section shall comply with each of the following requirements:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (milligrams per liter)	
TSS	50	25
pH	Within the range 6.0 to 9.0.	
	English units (parts per million)	
TSS	50	25
pH	Within the range 6.0 to 9.0.	

§ 415.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.24 [Reserved]

§ 415.25 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.26 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the aluminum sulfate production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.25: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart C—Calcium Carbide Production Subcategory

§ 415.30 Applicability; description of the calcium carbide production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of calcium carbide in uncovered furnaces.

§ 415.31 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.32 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharge or other interested person may submit evidence to the Regional Administrator (or to the State, if the

State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharge are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.34 [Reserved]

§ 415.35 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.36 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the calcium carbide production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.35; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart D—Calcium Chloride Production Subcategory

§ 415.40 Applicability; description of the calcium chloride production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of calcium chloride by the brine extraction process.

§ 415.41 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "product" shall mean calcium chloride.

§ 415.42 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.016	0.0082
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.016	0.0082
pH	Within the range 6.0 to 9.0.	

§ 415.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.44 [Reserved]

§ 415.45 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.46 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the calcium chloride production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this Chapter, except that, for the purpose of this section, § 128.133 of this

Chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.45: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart E—Calcium Oxide and Calcium Hydroxide Production Subcategory

§ 415.50 Applicability; description of the calcium oxide and calcium hydroxide production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of calcium oxide and calcium hydroxide.

§ 415.51 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of paragraphs (b), (c), and (d) of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed and operated so as to contain the precipitation from the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 10 year, 24 hour rainfall event, when such event occurs.

(c) During any calendar month there may be discharged from a process waste water impoundment either a volume of process waste water equal to the difference between the precipitation for that month that falls within the impoundment and the evaporation for that month, or, if greater, a volume of process waste water equal to the difference between the mean precipitation for that month that falls within the impoundment and the mean evaporation for that month as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located (or as otherwise determined if no monthly data have been established by the National Climatic Center).

(d) Any process waste water discharged pursuant to paragraph (c) of this section shall comply with each of the following requirements:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (milligrams per liter)	
TSS	50	25
pH	Within the range 6.0 to 9.0.	
	English units (parts per million)	
TSS	50	25
pH	Within the range 6.0 to 9.0.	

§ 415.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.54 [Reserved]

§ 415.55 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.56 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the calcium oxide and calcium hydroxide production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.55; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except

in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart F—Chlorine and Sodium or Potassium Hydroxide Production Subcategory

§ 415.60 Applicability; description of the chlorine and sodium or potassium hydroxide production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of chlorine and sodium or potassium hydroxide by the diaphragm cell process and by the mercury cell process.

§ 415.61 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "product" shall mean chlorine.

(c) The term "mercury" shall mean the total mercury present in the process waste water stream exiting the mercury treatment system.

(d) The term "lead" shall mean total lead.

§ 415.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in this Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from chlorine and potassium or sodium hydroxide manufacture by the mercury cell process:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.64	0.32
Mercury	.00028	.00014
pH	Within the range 6.0 to 9.0	
	English units (pounds per 1,000 lb of product)	
TSS	0.64	0.32
Mercury	.00028	.00014
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from chlorine and sodium or potassium hydroxide manufacture by the diaphragm cell process:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.64	0.32
Lead	.005	.0025
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.64	0.32
Lead	.005	.0025
pH	Within the range 6.0 to 9.0.	

§ 415.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from chlorine and sodium or potassium hydroxide manufacture by the mercury cell process:

(1) Subject to the provisions of paragraph (a)(2) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(2) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from chlorine and sodium or potassium hydroxide manufacture by the diaphragm cell process: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.64 [Reserved]

§ 415.65 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart:

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from chlorine and sodium or potassium hydroxide manufacture by the mercury cell process:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.64	0.32
Mercury	.00014	.00007
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.64	0.32
Mercury	.00014	.00007
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from chlorine and sodium or potassium

hydroxide manufacture by the diaphragm cell process:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.64	0.32
Lead	.00008	.00004
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.64	0.32
Lead	.00008	.00004
pH	Within the range 6.0 to 9.0.	

§ 415.66 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the chlorine and sodium or potassium hydroxide production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.65; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart G—Hydrochloric Acid Production Subcategory

§ 415.70 Applicability; description of the hydrochloric acid production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of hydrochloric acid by direct reaction of chlorine and hydrogen.

§ 415.71 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.74 [Reserved]

§ 415.75 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.76 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the hydrochloric acid production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.75; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart H—Hydrofluoric Acid Production Subcategory

§ 415.80 Applicability; description of the hydrofluoric acid production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of hydrofluoric acid.

§ 415.81 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharged or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger

effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of paragraphs (b), (c), and (d) of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed and operated so as to contain the precipitation from the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 10 year, 24 hour rainfall event, when such event occurs.

(c) During any calendar month there may be discharged from a process waste water impoundment either a volume of process waste water equal to the difference between the precipitation for that month that falls within the impoundment and the evaporation for that month, or, if greater, a volume of process waste water equal to the difference between the mean precipitation for that month that falls within the impoundment and the mean evaporation for that month as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located (or as otherwise determined if no monthly data have been established by the National Climatic Center).

(d) Any process waste water discharged pursuant to paragraph (c) of this section shall comply with each of the following requirements:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (milligrams per liter)	
Fluoride	30	15
TSS	50	25
pH	Within the range 6.0 to 9.0.	
	English units (parts per million)	
Fluoride	30	15
TSS	50	25
pH	Within the range 6.0 to 9.0.	

§ 415.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations established the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.84 [Reserved]

§ 415.85 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.86 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the hydrofluoric acid production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.85; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart I—Hydrogen Peroxide Production Subcategory

§ 415.90 Applicability; description of the hydrogen peroxide production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of hydrogen peroxide by the electrolytic process and by the oxidation of alkyl hydroanthraquinones.

§ 415.91 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "product" shall mean hydrogen peroxide as a one hundred percent hydrogen peroxide solution.

(c) The term "CyanideA" shall mean those cyanides amenable to chlorination as described in *1972 Annual Book of ASTM Standards*, 1972, Standard D2036–72, Method B, page 553.

§ 415.92 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional

Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from hydrogen peroxide manufacture by the oxidation of alkyl hydroanthraquinones.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.8	0.4
TOC	.44	.22
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.8	0.4
TOC	.44	.22
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from hydrogen peroxide manufacture by the electrolytic process:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.005	0.0025
CyanideA	.0004	.0002
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.005	0.0025
CyanideA	.0004	.0002
pH	Within the range 6.0 to 9.0.	

§ 415.93 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from hydrogen peroxide manufacture by the oxidation of alkyl hydroanthraquinones: there shall be no discharge of process waste water pollutants to navigable waters.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from hydrogen peroxide manufacture by the electrolytic process:

(1) Subject to the provisions of paragraph (b)(2) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(2) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.94 [Reserved]

§ 415.95 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart:

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from hydrogen peroxide manufacture by the oxidation of alkyl hydroanthraquinones: there shall be no discharge of process waste water pollutants to navigable waters.

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharbed in process waste water from hydrogen peroxide manufacture by the electrolytic process:

(1) Subject to the provisions of paragraph (b)(2) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(2) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.96 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the hydrogen peroxide production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.95; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart J—Nitric Acid Production Subcategory

§ 415.100 Applicability; description of the nitric acid production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of nitric acid in concentrations up to 68 percent.

§ 415.101 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.102 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equip-

ment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutants properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.104 [Reserved]

§ 415.105 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.106 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the nitric acid production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.105; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart K—Potassium Metal Production Subcategory

§ 415.110 Applicability; description of the potassium metal production subcategory.

The provisions of this subpart are applicable to discharges of pollutants resulting from the production of potassium metal.

§ 415.111 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.114 [Reserved]

§ 415.115 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.116 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the potassium metal production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this Chapter, except that, for the purpose of this section, § 128.133 of this Chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.115; *Provided*, That, if the publicly owned treatment works which receives the pollutants is commited, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart L—Potassium Dichromate Production Subcategory

§ 415.120 Applicability; description of the potassium dichromate production subcategory.

The provisions of this subpart are applicable to discharges of pollutants resulting from the production of potassium dichromate.

§ 415.121 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.124 [Reserved]

§ 415.125 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.126 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the potassium dichromate production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this Chapter, except that, for the purpose of this section, § 128.133 of this Chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.125: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart M—Potassium Sulfate Production Subcategory

§ 415.130 Applicability; description of the potassium sulfate production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of potassium sulfate.

§ 415.131 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of paragraphs (b), (c), and (d) of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed and operated so as to contain the precipitation from the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 10 year, 24 hour rainfall event, when such event occurs.

(c) During any calendar month there may be discharged from a process waste water impoundment either a volume of process waste water equal to the difference between the precipitation for that month that falls within the impoundment and the evaporation for that month, or, if greater, a volume of process waste water equal to the difference between the mean precipitation for that month that falls within the impoundment and the mean evaporation for that month as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located (or as otherwise determined if no monthly data have been established by the National Climatic Center).

(d) Any process waste water discharged pursuant to paragraph (c) of this section shall comply with each of the following requirements:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (milligrams per liter)	
TSS	50	25
pH	Within the range 6.0 to 9.0.	
	English units (parts per million)	
TSS	50	25
pH	Within the range 6.0 to 9.0.	

§ 415.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.134 [Reserved]

§ 415.135 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.136 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the potassium sulfate production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitons set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.135; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart N—Sodium Bicarbonate Production Subcategory

§ 415.140 Applicability; description of the sodium bicarbonate production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of sodium bicarbonate.

§ 415.141 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.142 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.143 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.144 [Reserved]

§ 415.145 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.146 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the sodium bicarbonate production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.415; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart O—Sodium Carbonate Production Subcategory

§ 415.150 Applicability; description of the sodium carbonate production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of sodium carbonate by the Solvay Process.

§ 415.151 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "product" shall mean sodium carbonate.

§ 415.152 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.20	0.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.20	0.10
pH	Within the range 6.0 to 9.0.	

§ 415.153 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.34	0.17
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.34	0.17
pH	Within the range 6.0 to 9.0.	

§ 415.154 [Reserved]

§ 415.155 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.156 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the sodium carbonate production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.155; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart P—Sodium Chloride Production Subcategory

§ 415.160 Applicability; description of the sodium chloride production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of sodium chloride by the solution brine-mining process and by the solar evaporation process.

§ 415.161 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "product" shall mean sodium chloride.

(c) The term "bitterns" shall mean the saturated brine solution remaining after precipitation of sodium chloride in the solar evaporation process.

§ 415.162 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available,

energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from sodium chloride manufacture by the solar evaporation process: there shall be no discharge or process waste water pollutants to navigable waters, except that unused bitterns may be returned to the body of water from which the process brine solution was originally withdrawn, provided no additional pollutants are added to the bitterns during the production of sodium chloride.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from sodium chloride manufacture by the solution brine-mining process:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.34	0.17
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.34	0.17
pH	Within the range 6.0 to 9.0.	

§ 415.163 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from sodium chloride manufacture by the solar evaporation process: there shall be no discharge of process waste water pollutants to navigable waters, except that unused bitterns may be returned to the body of water from which the process brine solution was originally withdrawn, provided no additional pollutants are added to the bitterns during the production of sodium chloride.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from sodium chloride manufacture by the solution brine-mining process: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.164 [Reserved]

§ 415.165 Standards of performance for new sources.

The following standards of performance established the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart:

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from sodium chloride manufacture by the solar evaporation process: there shall be no discharge of process waste water pollutants to navigable waters, except that unused bitterns may be returned to the body of water from which the process brine solution was originally withdrawn, provided no additional pollutants are added to the bitterns during the production of sodium chloride.

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from sodium chloride manufacture by the solution brine-mining process: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.166 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the sodium chloride production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.165: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart Q—Sodium Dichromate and Sodium Sulfate Production Subcategory

§ 415.170 Applicability; description of the sodium dichromate and sodium sulfate production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of sodium dichromate and by-product sodium sulfate.

§ 415.171 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "product" shall mean sodium dichromate.

(c) The term "Cr(T)" shall mean total chromium.

(d) The term "Cr(+6)" shall mean hexavalent chromium.

§ 415.172 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available,

energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individaul discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.44	0.22
Cr (+6)	.009	.0005
Cr (T)	.0088	.0044
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.44	0.22
Cr(+6)	.009	.0005
Cr (T)	.0088	.0044
pH	Within the range 6.0 to 9.0.	

§ 415.173 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.174 [Reserved]

§ 415.175 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kg/kkg of product)	
TSS	0.30	0.15
Cr(+6)	0.009	0.0005
Cr(T)	0.0088	0.0044
pH	Within the range 6.0 to 9.0.	
	English units (lb/1000 lb of product)	
TSS	0.30	0.15
Cr(+6)	0.009	0.0005
Cr(T)	0.0088	0.0044
pH	Within the range 6.0 to 9.0.	

§ 415.176 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the sodium dichromate and sodium sulfate production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.175; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart R—Sodium Metal Production Subcategory

§ 415.180 Applicability; description of the sodium metal production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of sodium metal by the Downs cell process.

§ 415.181 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "product" shall mean sodium metal.

§ 415.182 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.46	0.23
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.46	0.23
pH	Within the range 6.0 to 9.0.	

§ 415.183 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.184 [Reserved]

§ 415.185 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.186 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the sodium metal production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.185; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart S—Sodium Silicate Production Subcategory

§ 415.190 Applicability; description of the sodium silicate production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of sodium silicate.

§ 415.191 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "product" shall mean sodium silicate.

§ 415.192 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.01	0.005
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.01	0.005
pH	Within the range 6.0 to 9.0.	

§ 415.193 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 years, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.194 [Reserved]

§ 415.195 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be

discharged by a new source subject to the provisions of this subpart:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.196 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the sodium silicate production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this Chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.195; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart T—Sodium Sulfite Production Subcategory

§ 415.200 Applicability; description of the sodium sulfite production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of sodium sulfite by reacting sulfur dioxide with sodium carbonate.

§ 415.201 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "product" shall mean sodium sulfite.

§ 415.202 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	0.032	0.016
COD	3.4	1.7
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	0.032	0.016
COD	3.4	1.7
pH	Within the range 6.0 to 9.0.	

§ 415.203 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) Subject to the provisions of paragraph (b) of this section there shall be no discharge of process waste water pollutants into navigable waters.

(b) A process waste water impoundment which is designed, constructed, and operated so as to contain the precipitation from the 25 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the area in which such impoundment is located may discharge that volume of process waste water which is equivalent to the volume of precipitation that falls within the impoundment in excess of that attributable to the 25 year, 24 hour rainfall event, when such event occurs.

§ 415.204 [Reserved]

§ 415.205 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.206 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the sodium sulfite production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.205; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart U—Sulfuric Acid Production Subcategory

§ 415.210 Applicability; description of the sulfuric acid production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of sulfuric acid in single and double adsorption plants. The provisions are not applicable to discharges from plants recovering waste sulfuric acid.

§ 415.211 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and

methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 415.212 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.213 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.214 [Reserved]

§ 415.215 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart: there shall be no discharge of process waste water pollutants to navigable waters.

§ 415.216 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the sulfuric acid production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this Chapter, except that, for the purpose of this section, § 128.133 of this Chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.215: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart V—Titanium Dioxide Production Subcategory

§ 415.220 Applicability; description of the titanium dioxide production subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of titanium dioxide by the sulfate process and by the chloride process.

§ 415.221 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "product" shall mean titanium dioxide.

(c) The term "iron" shall mean total iron.

§ 415.222 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the auhtority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from titanium dioxide manufacture by the chloride process:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	4.6	2.3
Iron	.72	.36
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	4.6	2.3
Iron	.72	.36
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from titanium dioxide manufactured by the sulfate process:

Effluent characteristic	Effluent limitations: Maximum for Any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	21.0	10.5
Iron	1.7	.84
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	21.0	10.5
Iron	1.7	.84
pH	Within the range 6.0 to 9.0.	

§ 415.223 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from titanium dioxide production by the chloride process:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	2.6	1.3
Iron	.36	.18
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	2.6	1.3
Iron	.36	.18
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from titanium dioxide manufacture by the sulfate process:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	10.6	5.3
Iron	.84	.42
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	10.6	5.3
Iron	.84	.42
pH	Within the range 6.0 to 9.0.	

§ 415.224 [Reserved]

§ 415.225 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart:

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from titanium dioxide manufacture by the chloride process:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	2.6	1.3
Iron	.36	.18
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	2.6	1.3
Iron	.36	.18
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged in process waste water from titanium dioxide manufacture by the sulfate process:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
TSS	10.6	5.3
Iron	.84	.42
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
TSS	10.6	5.3
Iron	.84	.42
pH	Within the range 6.0 to 9.0.	

§ 415.226 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the titanium dioxide production subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, § 128.133 of this chapter shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 415.225; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

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ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 415]

APPLICATION OF EFFLUENT LIMITATIONS GUIDELINES FOR EXISTING SOURCES TO PRETREATMENT STANDARDS

Inorganic Chemicals Manufacturing Point Source Category

Notice is hereby given pursuant to sections 301, 304 and 307(b) of the Federal Water Pollution Control Act, as amended (the Act) 33 U.S.C. 1251, 1311, 1314 and 1317(b); 86 Stat. 816 et seq.; Pub. L. 92–500, that the proposed regulation set forth below concerns the application of effluent limitations guidelines for existing sources to pretreatment standards for incompatible pollutants. The proposal will amend 40 CFR Part 415—Inorganic Chemicals Manufacturing Point Source Category, establishing for each subcategory therein the extent of application of effluent limitations guidelines to existing sources which discharge to publicly owned treatment works. The regulation is intended to be complementary to the general regulation for pretreatment standards set forth at 40 CFR Part 128. The general regulation was proposed July 19, 1973 (38 FR 19236), and published in final form on November 8, 1973 (38 FR 30982).

The proposed regulation is also intended to supplement a final regulation being simultaneously promulgated by the Environmental Protection Agency (EPA or Agency) which provides effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the aluminum chloride production subcategory, aluminum sulfate production subcategory, calcium carbide production subcategory, calcium chloride production subcategory, calcium oxide and hydroxide production subcategory, chlorine and sodium or potassium hydroxide production subcategory, hydrochloric acid production subcategory, hydrofluoric acid production subcategory, hydrogen peroxide production subcategory, nitric acid production subcategory, potassium metal production subcategory, potassium dichromate production subcategory, potassium sulfate production subcategory, sodium bicarbonate production subcategory, sodium carbonate production subcategory, sodium chloride production subcategory, sodium dichromate and sodium sulfate production subcategory, sodium metal production subcategory, sodium silicate production subcategory, sodium sulfite production subcategory, sulfuric acid production subcategory, and titanium dioxide production subcategory of the inorganic chemicals manufacturing point source category. The latter regulation applies to the portion of a discharge which is directed to the navigable waters. The regulation proposed below applies to users of publicly owned treatment works which fall within the description of the point source category to which the guidelines and standards (40 CFR 415) promulgated simutaneously apply. However, the proposed regulation applies to the introduction of incompatible pollutants which are directed into a publicly owned treatment works, rather than to discharges of pollutants to navigable waters.

The general pretreatment standard divides pollutants discharged by users of publicly owned treatment works into two broad categories: "compatible" and "incompatible." Compatible pollutants are generally not subject to pretreatment standards. (See 40 CFR 128.110 (State or local law) and 40 CFR 128.131 (Prohibited wastes) for requirements which may be applicable to compatible pollutants). Incompatible pollutants are subject to pretreatment standards as provided in 40 CFR 128.133, which provides as follows:

> In addition to the prohibitions set forth in § 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works by a major contributing industry not subject to Section 307(c) of the Act shall be, for sources within the corresponding industrial or commercial category, that established by a promulgated effluent limitations guidelines defining best practicable control technology currently available pursuant to sections 301(b) and 304(b) of the Act; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall be correspondingly reduced for that pollutant; and provided further that when the effluent limitations guidelines for each industry is promulgated, a separate provision will be proposed concerning the application of such guidelines to pretreatment.

The regulation proposed below is intended to implement that portion of section 128.133, above, requiring that a separate provision be made stating the application to pretreatment standards of effluent limitations guidelines based upon best practicable control technology currently available.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR Part 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations guidelines is appropriate to support the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works. Specifically, the Agency is seeking information pertaining to technical or economic problems associated with those subcategories of the inorganic chemicals manufacturing point source category for which the effluent limitation guidelines based on best practicable control technology currently available require no discharge of process waste water pollutants to navigable waters. In addition, information is solicited regarding detrimental effects of dissolved salts discharged into joint treatment systems.

The proposed regulation (October 11, 1973; 38 FR 21230) for point sources within § 415.15 of the aluminum chloride production subcategory, § 415.25 of the aluminum sulfate production subcategory, § 415.35 of the calcium carbide production subcategory, § 415.45 of the calcium chloride production subcategory, § 415.55 of the calcium oxide and hydroxide production subcategory, § 415.65 of the chlorine and sodium or potassium hydroxide production subcategory, § 415.75 of the hydrochloric acid production subcategory, § 415.85 of the hydrofluoric acid production subcategory, § 415.95 of the hydrogen peroxide production subcategory, § 415.105 of the nitric acid production subcategory, § 415.115 of the potassium metal production subcategory, § 415.125 of the potassium dichromate production subcategory, § 415.135 of the potassium sulfate production subcategory, § 415.145 of the sodium bicarbonate production subcategory, § 415.155 of the sodium carbonate production subcategory, § 415.165 of the sodium chloride production subcategory, § 415.175 of the sodium dichromate and sodium sulfate production subcategory, § 415.185 of the sodium metal production subcategory, § 415.195 of the sodium silicate production subcategory, § 415.205 of the sodium sulfite production subcategory, § 415.215 of the sulfuric acid production, subcategory, and § 415.225 of the titanium dioxide production subcategory, contained the proposed pretreatment standard for new sources. The regulation promulgated simultaneously herewith contains §§ 415.16, 415.26, 415.36, 415.46, 415.56, 415.66, 415.76, 415.86, 415.96, 415.106, 415.116, 415.126, 415.136, 415.146, 415.156, 415.166, 415.176, 415.186, 415.196, 415.206, 415.216 and 415.226 which state the applicability of standards of performance for purposes of pretreatment standard for new sources.

A preliminary Development Document was made available to the public at approximately the time of publication of the notice of proposed rulemaking and the final Development Document entitled "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the MAJOR INORGANIC PRODUCTS Segment of the Inorganic Chemicals Manufacturing Point Source Category" is now being published. The economic analysis report entitled "Economic Analysis of Proposed Effluent Guidelines, Inorganic Chemicals and Chlor-Alkali Industries (major products)", (August 1973) was made available at the time of proposal. Copies of the final Development Document and economic analysis report will continue to be maintained for inspection and copying during the comment period at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street, S.W., Washington, D.C. Copies will also be available for inspection at EPA regional offices and at State water pollution control agency offices. Copies of

the Development Document may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402. Copies of the economic analysis report will be available for purchase through the National Technical Information Service, Springfield, Virginia, 22151.

On June 14, 1973, the Agency published procedures designed to insure that, when certain major standards, regulations, and guidelines are proposed, an explanation of their basis, purpose and environmental effects is made available to the public. (38 FR 15653). The procedures are applicable to major standards, regulations and guidelines which are proposed on or after December 31, 1973, and which either prescribe national standards of environmental quality or require national emission, effluent or performance standards or limitations.

The Agency determined to implement these procedures in order to insure that the public was provided with background information to assist it in commenting on the merits of a proposed action. In brief, the procedures call for the Agency to make public the information available to it delineating the major environmental effects of a proposed action, to discuss the pertinent nonenvironmental factors affecting the decision, and to explain the viable options available to it and the reasons for the option selected.

The procedures contemplate publication of this information in the FEDERAL REGISTER, where this is practicable. They provide, however, that where such publication is impracticable because of the length of these materials, the material may be made available in an alternate format.

The Development Document referred to above contains information available to the Agency concerning the major environmental effects of the regulation proposed below. The information includes: (1) the identification of pollutants present in waste waters resulting from the manufacture of aluminum chloride, aluminum sulfate, calcium carbide, calcium chloride, calcium oxide and hydroxide, chlorine and sodium or potassium hydroxide, hydrochloric acid, hydrofluoric acid, hydrogen peroxide, nitric acid, potassium metal, potassium dichromate, potassium sulfate, sodium bicarbonate, sodium carbonate, sodium chloride, sodium dichromate and sodium sulfate, sodium metal, sodium silicate, sodium sulfite, sulfuric acid, and titanium dioxide, the characteristics of these pollutants, and the degree of pollutant reduction obtainable through implementation of the proposed standard; and (2) the anticipated effects on other aspects of the environment (including air, subsurface waters, solid waste disposal and land use, and noise) of the treatment technologies available to meet the standard proposed.

The Development Document and the economic analysis report referred to above also contain information available to the Agency regarding the estimated cost and energy consumption implications of those treatment technologies and the potential effects of those costs on the price and production of aluminum chloride, aluminum sulfate, calcium carbide, calcium chloride, calcium oxide and hydroxide, chlorine and sodium or potassium hydroxide, hydrochloric acid, hydrofluoric acid, hydrogen peroxide, nitric acid, potassium metal, potassium dichromate, potassium sulfate, sodium bicarbonate, sodium carbonate, sodium chloride, sodium dichromate and sodium sulfate, sodium metal, sodium silicate, sodium sulfite, sulfuric acid and titanium dioxide. The two reports exceed, in the aggregate, 100 pages in length and contain a substantial number of charts, diagrams and tables. It is clearly impracticable to publish the material contained in these documents in the FEDERAL REGISTER. To the extent possible, significant aspects of the material have been presented in summary form in the preamble to the proposed regulation containing effluent limitations guidelines, new source performance standards and pretreatment standards for new sources within the inorganic chemicals manufacturing category (38 FR 28174: October 11, 1973). Additional discussion is contained in the analysis of public comments on the proposed regulation and the Agency's response to those comments. This discussion appears in the preamble to the promulgated regulation (40 CFR Part 415) which currently is being published in the rules and regulations section of the FEDERAL REGISTER.

The options available to the Agency in establishing the level of pollutant reduction obtainable through the best practicable control technology currently available, and the reasons for the particular level of reduction selected are discussed in the documents described above. In applying the effluent limitations guidelines to pretreatment standards for the introduction of incompatible pollutants into municipal systems by existing sources in the aluminum chloride production subcategory, aluminum sulfate production subcategory, calcium carbide production subcategory, calcium chloride production subcategory, calcium oxide and hydroxide production subcategory, chlorine and sodium or potassium hydroxide production subcategory, hydrochloric acid production subcategory, hydrofluoric acid production subcategory, hydrogen peroxide production subcategory, nitric acid production subcategory, potassium metal production subcategory, potassium dichromate production subcategory, potassium sulfate production subcategory, sodium bicarbonate production subcategory, sodium carbonate production subcategory, sodium chloride production subcategory, sodium dichromate and sodium sulfate production subcategory, sodium metal production subcategory, sodium silicate production subcategory, sodium sulfite production subcategory, sulfuric acid production subcategory, and titanium dioxide production subcategory, the Agency has, essentially, three options. The first is to declare that the guidelines do not apply. The second is to apply the guidelines unchanged. The third is to modify the guidelines to reflect: (1) differences between direct dischargers and plants utilizing municipal systems which affect the practicability of the latter employing the technology available to achieve the effluent limitations guidelines; or (2) characteristics of the relevant pollutants which require higher levels of reduction (or permit less stringent levels) in order to insure that the pollutants do not interfere with the treatment works or pass through them untreated.

The first option, which would leave the introduction of incompatible pollutants unregulated by a national pretreatment standard, is inappropriate in view of the information available to the Agency concerning the effects of those pollutants generated by the inorganic chemicals manufacturing category and the available treatment technologies. The Agency believes that treatment levels required of plants utilizing municipal treatment systems should be comparable to those applicable to direct discharges, so that use of such systems does not result in higher levels of ultimate pollutant discharge to navigable waters or in any unjustified economic advantage.

The process waste waters in the inorganic chemicals industry generally contain high concentrations of dissolved solids. These solids could interfere with the operation of publicly owned treatment works, pass through such works untreated or inadequately treated, or otherwise be incompatible with such treatment works. The information available to the Agency does not indicate differences between plants which discharge directly to navigable waters and those which use municipal treatment systems significant enough to warrant varying the effluent limitation guidelines. Accordingly, it is the opinion of the Agency that these incompatible process waste water constituents should be treated to the level required by the application of the best practicable control technology currently available before discharge of these waste water constituents to publicly owned treatment works. In those cases where the effluent limitation guidelines based on best practicable control technology currently available are not defined for an incompatible pollutant, such as dissolved solids, no pretreatment will be required for such incompatible pollutants unless, pursuant to 40 CFR 128, Section 128.131, the wastes interfere with the operation or performance of the publicly owned treatment works, or pretreatment is required by local or State law, as provided for in 307(b)(4) of the Act.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460, Attention: Mr. Philip B. Wisman. Comments on all aspects of the proposed regulations are solicited. In the event

comments are in the nature of criticisms as to the adequacy of data which is available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data is essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing pretreatment standards for existing sources, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304 and 307(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460. The EPA information regulation, 40 CFR 2, provides that a reasonable fee may be charged for copying.

In consideration of the foregoing, it is hereby proposed that 40 CFR 415 be amended to add §§ 415.14, 415.24, 415.34, 415.44, 415.54, 415.64, 415.74, 415.84, 415.94, 415.104, 415.114, 415.124, 415.134, 415.144, 415.154, 415.164, 415.174, 415.184, 415.194, 415.204, 415.214 and 415.224. All comments received on or before April 11, 1974 will be considered.

Dated: March 4, 1974.

JOHN QUARLES,
Acting Administrator.

It is proposed to add the following sections, which are currently reserved, to 40 CFR Part 415:

§ 415.14 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.12 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.24 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.22 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.34 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.32 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.44 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.42 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.54 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.52 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.64 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in §415.62 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.74 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.62 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.84 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.82 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.94 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.92 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.104 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.102 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.114 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.112 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.124 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.122 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.134 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.132 shall apply and subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.144 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.142 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.154 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants

established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.152 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.164 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.62 shall apply, and subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.174 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.172 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.184 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.182 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.194 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.192 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.204 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.202 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.214 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.212 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

§ 415.224 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in § 415.222 shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

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